
A BILL FOR AN ACT

RELATING TO VOTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§11-A Automatic registration. (a) Any person who
5 properly completes and submits an application for a new or
6 renewed driver's license, provisional license, instructional
7 permit, or state identification card, and who is eligible to
8 vote under this part, shall automatically be registered to vote
9 as provided in subsection (c).

10 (b) The examiner of drivers of each county shall use
11 application forms for an original, duplicate, or change of
12 address driver's license, provisional license, instructional
13 permit, or a state identification card as voter registration
14 applications. The forms shall contain spaces for all
15 information collected by voter registration applications as
16 required by section 11-15(a). The examiner of drivers of each
17 county shall transmit the information to the clerk of the county
18 in which the applicant resides.



1 (c) The clerk shall determine whether the applicant is
2 currently registered in the general county register. If the
3 applicant is not currently registered, the clerk shall determine
4 whether the applicant is eighteen years of age or older and a
5 citizen of the United States. If the applicant is less than
6 eighteen years of age, the clerk shall defer the applicant until
7 the applicant reaches eighteen years of age to determine whether
8 the applicant is eligible to vote. Upon determination that the
9 applicant is eligible to vote, the clerk shall number the
10 applicant's voter information and register the name of the voter
11 in the general county register as provided in section 11-15."

12 SECTION 2. Chapter 286, Hawaii Revised Statutes, is
13 amended by adding a new section to part VI to be appropriately
14 designated and to read as follows:

15 "§286-A Voter registration. (a) A qualified applicant
16 for a motor vehicle driver's license, provisional license, or
17 instructional permit shall automatically be registered to vote
18 with the clerk of the appropriate county upon completion of an
19 application for a driver's license, provisional license, or
20 instructional permit as required in section 11-A.

21 (b) Every qualified applicant identified in subsection (a)
22 shall be required to authorize the examiner of drivers to



1 collect and transmit the necessary personal information required
2 for registering the qualified applicant with the county clerk.
3 The examiner of drivers shall notify all qualified applicants
4 identified in subsection (a) that by submitting an application
5 for a driver's license, provisional license, or instructional
6 permit, the qualified applicant is consenting to the automatic
7 registration to vote with the county clerk.

8 (c) For the purposes of this section, "qualified
9 applicant" means a person who qualifies to register as a voter
10 pursuant to section 11-15."

11 SECTION 3. Chapter 286, Hawaii Revised Statutes, part XVI,
12 is amended by adding a new section to be appropriately
13 designated and to read as follows:

14 "§286-B Voter registration. (a) A qualified applicant
15 for a new, renewal, or duplicate civil identification card shall
16 automatically be registered to vote with the clerk of the
17 appropriate county upon completion of an application for a civil
18 identification card as required by section 286-303.

19 (b) Every qualified applicant identified in subsection (a)
20 shall be required to authorize the examiner of drivers to
21 collect and transmit the necessary personal information required
22 for registering the qualified applicant with the county clerk.



1 The examiner of drivers shall notify all qualified applicants
2 identified in subsection (a) that by submitting an application
3 for a new, renewal, or duplicate civil identification card, the
4 qualified applicant is consenting to the automatic registration
5 to vote with the county clerk.

6 (c) For the purposes of this section, "qualified
7 applicant" means a person who qualifies to register as a voter
8 pursuant to section 11-15."

9 SECTION 4. Section 286-108, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Except as provided in section 286-107.5(a), the
12 examiner of drivers shall examine every applicant for a driver's
13 license, except as otherwise provided in this part. The
14 examination shall include a test of:

15 (1) The applicant's eyesight and any further physical
16 examination that the examiner of drivers finds
17 necessary to determine the applicant's fitness to
18 operate a motor vehicle safely upon the highways;

19 (2) The applicant's ability to understand highway signs
20 regulating, warning, and directing traffic;

21 (3) The applicant's knowledge of the rules of the road
22 based on the traffic laws of the State and the traffic



1 ordinances of the county where the applicant resides
2 or intends to operate a motor vehicle; provided that
3 the examination shall specifically test the
4 applicant's knowledge of the provisions of section
5 291C-121.5; and

6 (4) The actual demonstration of ability to exercise
7 ordinary and reasonable control in the operation of a
8 motor vehicle.

9 The examinations shall be appropriate to the operation of the
10 category of motor vehicle for which the applicant seeks to be
11 licensed and shall be conducted as required by the director.

12 The examiner of drivers shall require every applicant to
13 comply with section 286-102.5.

14 The examiner of drivers may waive the actual demonstration
15 of ability to operate a motorcycle or motor scooter for any
16 person who furnishes evidence, to the satisfaction of the
17 examiner of drivers, that the person has completed the
18 motorcycle education course approved by the director in
19 accordance with section.431:10G-104.

20 ~~[At the time of examination, an application for voter~~
21 ~~registration by mail shall be made available to every applicant~~
22 ~~for a driver's license.]~~



1 For the purposes of this section, the term "applicant" does
2 not include any person reactivating a license under section 286-
3 107.5(a)."

4 SECTION 5. Section 286-311, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "[~~§~~286-311~~§~~] **Custody and use of records; confidential**
7 **information.** (a) [~~All~~] Except as provided in sections 286-A
8 and 286-B, information and records acquired by the examiner of
9 drivers under this part shall be confidential. All information
10 and records shall be maintained in an appropriate form and in an
11 appropriate office in the custody and under the control of the
12 examiner. The information shall be available only to authorized
13 individuals under such restrictions as the director shall
14 prescribe. The examiner may dispose of any application or
15 identification card, or information or record relating to the
16 application or identification card, which does not include a
17 social security number, without regard to chapter 94, whenever,
18 in the examiner's discretion, retention of the information or
19 record is no longer required or practicable."

20 SECTION 6. In codifying the new sections added by section
21 1 and 2 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 7. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 8. This Act shall take effect upon its approval.

6

INTRODUCED BY: *Ken Whisenand*

JAN 17 2013



Report Title:

Automatic Voter Registration

Description:

Provides that all applicants for a new or renewed driver's license, provisional license, instructional permit, or civil identification card, who are eligible to vote, shall automatically be registered to vote.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

